

UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY

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UNITED STATES OF AMERICA,  
  
Plaintiff,

Criminal Action No. 1:17-cr-  
240-NLH

v.

**ORDER**

NICHOLAS KYLE MARTINO,  
  
Defendant.

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**HILLMAN, District Judge**

WHEREAS Defendant, Nicholas Kyle Martin ("Defendant") was sentenced by this Court on November 27, 2019 to a term of imprisonment of 36 months; and

WHEREAS, Defendant filed a Motion for Placement of Local Confinement pending his appeal on November 27, 2019 [Dkt. No. 73]; and

WHEREAS, Defendant filed a Motion to Stay Sentence pending his appeal, or local confinement on November 29, 2019 [Dkt. No. 69]; and

WHEREAS, the United States responded in opposition to Defendant's Motions on December 30, 2019; and

WHEREAS, upon review of the Federal Bureau of Prison Inmate Locator, Defendant was released from federal custody on September 9, 2020, and is now on supervised release; and

WHEREAS, the Third Circuit Court of Appeals affirmed the judgment of this Court and rejected Defendant's appeal on September 15, 2020; and

WHEREAS, Defendant's release from confinement renders the pending motions moot;

**THEREFORE,**

IT IS HEREBY on this 22 day of February, 2021

**ORDERED** that Defendant's Motion for Placement of Local Confinement pending his appeal [Dkt. No. 73] and Motion to Stay Sentence pending his appeal [Dkt. No. 69] be, and the same hereby are, DISMISSED AS MOOT; and it is finally

**ORDERED** that the Clerk shall send Defendant a copy of this Order by regular mail.

Date: February 22, 2021  
At Camden, New Jersey

s/ Noel L. Hillman  
NOEL L. HILLMAN, U.S.D.J.